

Daily Digest

HIGHLIGHTS

The House agreed to the conference report on H.R. 3061, Labor, HHS, Education Appropriations.

The House agreed to the conference report on H.R. 2506, Foreign Operations Appropriations.

The House passed H.R. 3529, Economic Security and Worker Assistance Act.

Senate

Chamber Action

Routine Proceedings, pages S13647–S13772

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 1848–1859, and S. Res. 193. **Pages S13700–01**

Measures Reported:

S. 415, to amend title 49, United States Code, to require that air carriers meet public convenience and necessity requirements by ensuring competitive access by commercial air carriers to major cities, with an amendment in the nature of a substitute. (S. Rept. No. 107–130) **Page S13700**

Measures Passed:

Authorizing Senate Leave Without Pay Status: Senate agreed to S. Res. 193, authorizing certain employees of the Senate who perform service in the uniformed services to be placed in a leave without pay status. **Page S13772**

Federal Farm Bill: Senate continued consideration of S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, taking action on the following amendments proposed there-to: **Pages S13647–61**

Rejected:

Hutchinson Amendment No. 2678 (to Amendment No. 2471), in the nature of a substitute. (By 59 yeas to 38 nays (Vote No. 376), Senate tabled the amendment). **Pages S13649–56**

Pending:

Daschle (for Harkin) Amendment No. 2471, in the nature of a substitute. **Pages S13647–61**

Wellstone Amendment No. 2602 (to Amendment No. 2471), to insert in the environmental quality incentives program provisions relating to confined livestock feeding operations and to a payment limitation. **Page S13647**

Harkin Modified Amendment No. 2604 (to Amendment No. 2471), to apply the Packers and Stockyards Act, 1921, to livestock production contracts and to provide parties to the contract the right to discuss the contract with certain individuals. **Page S13647**

Burns Amendment No. 2607 (to Amendment No. 2471), to establish a per-farm limitation on land enrolled in the conservation reserve program. **Page S13647**

Burns Amendment No. 2608 (to Amendment No. 2471), to direct the Secretary of Agriculture to establish certain per-acre values for payments for different categories of land enrolled in the conservation reserve program. **Pages S13647**

Daschle motion to reconsider the vote (Vote No. 377) by which the second motion to invoke cloture on Daschle (for Harkin) Amendment No. 2471 (listed above) was not agreed to. **Page S13658**

During consideration of this measure today, Senate also took the following actions:

By 54 yeas to 43 nays (Vote No. 377), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to the motion to close further debate on Daschle (for Harkin) Amendment No. 2471, listed above. **Page S13658**

Labor/HHS/Education Appropriations Conference Report-Agreement: A unanimous-consent-time agreement was reached providing for consideration of the conference report on H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, at 9:30 a.m., on Thursday, December 20, 2001, with a vote to occur thereon. **Page S13678**

Foreign Operations Appropriations Conference Report-Agreement: A unanimous-consent-time agreement was reached providing for consideration of the conference report on H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, after consultation between the Majority and Republican Leaders. **Page S13678**

Treaties Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolution of ratification was agreed to:

Treaty with Russia on Mutual Legal Assistance in Criminal Matters, with three conditions (Treaty Doc. 106–22). **Page S13771**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on Aeronautics and Space Activities for Fiscal Year 2000; to the Commerce, Science, and Transportation. (PM–62) **Page S13698**

Nominations Confirmed: Senate confirmed the following nominations:

- 2 Air Force nominations in the rank of general.
- 1 Army nomination in the rank of general.
- Routine lists in the Air Force, Army.

Pages S13771–72

Nominations Received: Senate received the following nominations:

John M. Rogers, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Timothy C. Stanceu, of Virginia, to be a Judge of the United States Court of International Trade.

Page S13772

Messages From the House: **Pages S13698–99**

Measures Referred: **Page S13699**

Measures Placed on Calendar: **Page S13699**

Measures Read First Time: **Page S13699**

Executive Communications: **Pages S13699–S13700**

Executive Reports of Committees: **Page S13700**

Additional Cosponsors: **Page S13701**

Statements on Introduced Bills/Resolutions: **Pages S13701–13**

Additional Statements: **Pages S13694–98**

Amendments Submitted: **Pages S13713–71**

Authority for Committees to Meet: **Page S13771**

Privilege of the Floor: **Page S13771**

Record Votes: Two record votes were taken today. (Total—377) **Page S13656**

Recess: Senate met at 11:30 a.m., and recessed at 8:04 p.m., until 9:30 a.m. on Thursday, December 20, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13772.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Vickers B. Meadows, of Virginia, to be Assistant Secretary for Administration, and Diane Leneghan Tomb, of Virginia, to be Assistant Secretary for Public Affairs, both of the Department of Housing and Urban Development.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nominations of Emil H. Frankel, of Connecticut, to be an Assistant Secretary of Transportation, Jeffrey Shane, of the District of Columbia, to be Associate Deputy Secretary of Transportation, and Sean O'Keefe, of New York, to be Administrator of the National Aeronautics and Space Administration.

NOMINATION

Committee on Finance: Committee concluded hearings on the nomination of Edward Kingman, Jr., of Maryland, to be Assistant Secretary for Management and Budget, and Chief Financial Officer, Department of the Treasury, after the nominee testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Measures Introduced: 30 public bills, H.R. 3522–3551; and 5 resolutions, H.J. Res. 79, H. Con. Res. 292–294, and H. Res. 325, were introduced.

Pages H10908–09

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002 (H. Rept. 107–345);

Joint Economic Committee on the 2001 Economic Report of the President (H. Rept. 107–347).

H. Res. 320, providing for consideration of H.R. 3529, to provide tax incentives for economic recovery and assistance to displaced workers (H. Rept. 107–348);

H. Res. 321, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 107–349);

Conference report on H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002 (H. Rept. 107–350).

H. Res. 323, providing for consideration of a joint resolution appointing the day for the convening of the second session of the One Hundred Seventh Congress (H. Rept. 107–351; and

H. Res. 324, waiving points of order against the conference report to accompany H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002. (H. Rept. 107–353).

Pages H10373–H10400, H10401, H10503–H10820, H10908

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Isakson to act as Speaker pro tempore for today. **Page H10357**

Member Sworn—Second District of South Carolina: Representative-elect Joe Wilson of South Carolina presented himself in the well of the House and was administered the Oath of Office by the Speaker.

Pages H10428–29

Enrollment Correction: The House agreed to the Senate amendment to H. Con. Res. 289, directing the Clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

Page H10430–31

Labor, HHS, Education Appropriations Conference Report: The House agreed to the conference report on H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, by a yea-and-nay vote of 393 yeas to 30 nays, Roll No. 504.

Pages H10432–42

The conference report was considered pursuant to a unanimous consent order of the House of Dec. 18.

Foreign Operations Appropriations: The House agreed to the conference report on H.R. 2506, making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 2002, by a yea-and-nay vote of 356 yeas to 66 nays, Roll No. 505. **Pages H10442–62**

Earlier, agreed by unanimous consent that it be in order at any time on Wednesday, December 19, 2001 to consider the conference report, that all points of order against it and against its consideration be waived, and that it be considered as read.

Page H10430

Order of Business—Suspensions: Pursuant to the notice requirements of H. Res. 314, Representative Boehner announced that the following measures will be considered under suspension of the rules on Wednesday, December 19, 2001: H.R. 2336, authority to redact financial disclosure statements of judicial employees and judicial officers; H.R. 3525, Border Security of the United States, and H.R. 3423, Eligibility of Reservists and their Dependents for Burial in Arlington National Cemetery. Subsequently, Representative Kolbe announced that the following measures will also be considered: H.R. 2561, Living American Hero Appreciation Act; and H.R. 2751, General Shelton Congressional Gold Medal Act. Representative Kolbe further announced that H.R. 3487, Nurse Reinvestment Act; H.R. 3504, Qualified Organ Procurement Organizations; and H. Con. Res. 292, Year of the Rose, will be considered pursuant to H. Res. 314.

Pages H10431, H10442, H10457

Motion to Discharge Committee: Representative Kucinich filed a motion to discharge the Committee on Rules from consideration of H. Res. 304, providing for consideration of H.R. 808, to provide certain safeguards with respect to the domestic steel industry.

Page H10910

Suspensions: The House agreed to suspend the rules and pass the following measures:

Terrorist Bombings Convention Implementation: H.R. 3275, amended, to implement the International Convention for the Suppression of Terrorist Bombings to strengthen criminal laws relating to attacks on places of public use, to implement the International Convention of the Suppression of the Financing of Terrorism, to combat terrorism and defend the Nation against terrorist acts (agreed to by a yeas-and-nays vote of 381 yeas to 36 nays, Roll No. 501);
Pages H10358–63, H10426–27

District of Columbia Family Court Act: Agreed to the Senate amendment to H.R. 2657, to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court (agreed to by a recorded vote of 418 yeas to 1 noes, Roll No. 502) clearing the measure for the President;
Pages H10366–73, H10427–28

District of Columbia Police Coordination Act: Agreed to the Senate amendment to H.R. 2199, to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Department and the United States Attorney for the District of Columbia (agreed to by a recorded vote of 420 yeas with none voting “no”, Roll No. 420)—clearing the measure for the President;
Pages H10403–04, H10428

Endorsing Observer Status for Taiwan at World Health Assembly: H.R. 2739, to amend Public Law 107–10 to require a United States plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly in May 2002 in Geneva, Switzerland. Agreed to amend the title so as to read: A bill to amend Public Law 107–10 to authorize a United States plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly in May 2002 in Geneva, Switzerland;
Pages H10462–64

Border Security of the United States: H.R. 3525, amended, to enhance the border security of the United States. The Clerk was authorized to make corrections and conforming changes in the engrossment of the bill; and
Pages H10465–76

General Shelton Congressional Gold Medal Act: H.R. 2751, amended, to authorize the President to award a gold medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of bronze duplicates of such medal for sale to the public. The Clerk was authorized to make corrections and conforming changes in the engrossment of the bill.
Pages H10482–85

Small Business Liability Relief and Brownfields Revitalization: H.R. 2869, amended, to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to amend such Act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs; and
Pages H10893–H10904

Native American Breast and Cervical Cancer Treatment Technical Amendment Act: S. 1741, to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Prevention and Treatment Act of 2000—clearing the measure for the President.
Pages H10904–06

Suspensions—Proceedings Postponed: The House completed debate on the following motions to suspend the rules upon which further proceedings were postponed:

Honoring Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building: S. 1714, to provide for the installation of a plaque to honor Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building;
Pages H10363–64

Major Lyn McIntosh Post Office Building, Valdosta, Georgia: H.R. 1432, to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the “Major Lyn McIntosh Post Office Building;”
Pages H10364–65

Office of Government Ethics Authorization: S. 1202, to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2006;
Pages H10365–66

Commending the Crew of the USS Enterprise Battle Group: H. Con. Res. 279, recognizing the service of the crew members of the USS Enterprise Battle Group during its extended deployment for the war effort in Afghanistan;
Pages H10404–05, H10887

Coast Guard Authorization Act for FY 2002: H.R. 3507, to authorize appropriations for the Coast Guard for fiscal year 2002; **Pages H10406–18, H10887**

Monitoring Iraqi Weapons Development: H.J. Res. 75, amended, regarding the monitoring of weapons development in Iraq, as required by United Nations Security Council Resolution 687 (April 3, 1991); **Pages H10418–26, H10887**

Redacting Financial Disclosure Statements: Agreeing to the Senate amendments to H.R. 2336, to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers; **Pages H10464–65, H10887**

Eligibility of Reservists and their Dependents for Burial in Arlington National Cemetery: H.R. 3423, amended, to amend title 38, United States Code, to enact into law eligibility of certain veterans and their dependents for burial in Arlington National Cemetery; **Pages H10476–80, H10887**

Living American Hero Appreciation Act: H.R. 2561, amended, to increase the rate of special pension for recipients of the medal of honor, to authorize those recipients to be furnished an additional medal for display purposes, and to increase the criminal penalties associated with misuse or fraud relating to the medal of honor; **Pages H10480–82, H10887**

Qualified Organ Procurement Organizations: H.R. 3504, to amend the Public Health Service Act with respect to qualified organ procurement organizations; **Pages H10485–87, H10887**

Nurse Reinvestment Act: H.R. 3487, to amend the Public Health Service Act with respect to health professions programs regarding the field of nursing; and **Pages H10487–93, H10887**

Year of the Rose: H. Con. Res. 292, supporting the goals of the Year of the Rose; **Pages H10493–94, H10887**

Higher Education Act Amendments: S. 1762, to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders; and **Pages H10887–91**

Higher Education Relief Opportunities: S. 1793, to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001. **Pages H10891–92**

Presidential Message—Nation's Achievements in Aeronautics and Space During FY 2000: Read a message from the President wherein he transmitted a report on the Nation's achievements in aeronautics and space during fiscal year 2000—referred to the Committee on Science. **Pages H10494–95**

Recess: The House recessed at 8:12 p.m. and reconvened at 9:30 p.m. **Page H10495**

Economic Security and Worker Assistance Act: The House passed H.R. 3529, to provide tax incentives for economic recovery and assistance to displaced workers by a ye-a-and-nay vote of 224 yeas to 193 nays, Roll No. 509. **Pages H10827–87**

Rejected the Rangel motion to recommit the bill to the Committee on Ways and Means with instructions to report it back forthwith with an amendment in the nature of a substitute that establishes the Fiscal Stimulus and Worker Relief Act of 2001 by a ye-a-and-nay vote of 177 yeas to 238 nays, Roll No. 508. **Pages H10867–86**

Agreed to H. Res. 320, the rule that provided for consideration of the bill by a ye-a-and-nay vote of 219 yeas to 198 nays, Roll No. 507. Earlier, agreed to H. Res. 319, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of a special rule providing for the consideration or disposition of a bill to provide tax incentives for economic recovery by a ye-a-and-nay vote of 214 yeas to 206 nays, Roll No. 506. **Pages H10495–H10503, H10820–27**

Order of Business—Suspensions: Pursuant to the notice requirements of H. Res. 314, Representative Dreier announced that the following measures will be considered under suspension of the rules on Wednesday, December 19, 2001: H.R. 2869, Small Business Liability Relief and Brownfields Revitalization and S. 1741, Native American Breast and Cervical Cancer Treatment Technical Amendment Act. **Page H10887**

Senate Message: Messages received from the Senate appear on pages H10405–06.

Referrals: S.J. Res. 13, was referred to the Committee on the Judiciary, S. Con. Res. 80, was referred to the Committee on Transportation and Infrastructure; and S.J. Res. 8, was held at the desk. **Page H10906**

Quorum Calls—Votes: Seven ye-a-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H10426–27, H10427, H10428, H10442, H10461–62, H10502–03, H10826–27, H10886, and H10886–87. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:01 a.m. on Thursday, Dec. 20.

Committee Meetings

ELECTRIC COMMUNICATIONS NETWORKS IN THE WAKE OF SEPTEMBER 11

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection held a

hearing entitled "Electronic Communications Networks in the Wake of September 11th." Testimony was heard from public witnesses.

OVERSIGHT

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law held an oversight hearing on the Alabama-Coosa-Tallapoosa River Basin Compact and the Apalachicola-Chattahoochee and Flint River Basin Compact. Testimony was heard from Lindsay Thomas, Federal Commissioner, Alabama-Coosa-Tallapoosa/Apalachicola-Chattahoochee-Flint River Basin Commissions; and public witnesses.

OVERSIGHT

Committee on the Judiciary: Subcommittee on Immigration and Claims held an oversight hearing on the Release Policies of the Immigration and Naturalization Service and the Executive Office for Immigration Review. Testimony was heard from the following officials of the INS, Department of Justice: Joseph R. Greene, Acting Deputy Executive Associate Commissioner, Field Operations; and Edward McElroy, District Director, New York District Office; and public witnesses.

ECONOMIC SECURITY AND WORKER ASSISTANCE ACT

Committee on Rules: Granted, by voice vote, a closed rule on H.R. 3529, to provide tax incentives for economic recovery and assistance to displaced workers, providing two hours of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that the yeas and nays shall be considered as ordered on the question of passage and that clause 5(b) of rule XXI shall not apply to the bill or amendments thereto. Testimony was heard from Chairman Thomas and Representatives Rangel, Jackson-Lee of Texas, Brown of Ohio, and Wu.

SAME DAY CONSIDERATION— CONFERENCE REPORT DOD APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of Thursday, December 20, 2001, providing for consideration or disposition of a conference report to accompany H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002.

DOD APPROPRIATIONS AND SUPPLEMENTAL APPROPRIATIONS, 2002— CONFERENCE REPORT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report on H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and against its consideration. The rule provides that the conference report shall be considered as read.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FY 2002

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate in the House on H.J. Res. 79, making further continuing appropriations for the fiscal year 2002, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution. Finally, the rule provides one motion to recommit.

RECONVENING DATE FOR 107TH CONGRESS

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate in the House on a joint resolution to establish a date for reconvening the 107th Congress, equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The rule provides one motion to recommit.

Joint Meetings

APPROPRIATIONS—FOREIGN OPERATIONS

Conferees, on Tuesday, December 18, agreed to file a conference report on the differences between the Senate and House passed versions of H. R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002.

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 20, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: closed business meeting to consider certain civilian and military nominations, 11:30 a.m., SR-222.

Committee on Commerce, Science, and Transportation: to hold hearings on the nomination of John Magaw, of Maryland, to be Under Secretary of Transportation for Security, 9:30 a.m., SR-253.

House

No Committee meetings are scheduled.

Next Meeting of the Senate

9:30 a.m., Thursday, December 20

Senate Chamber

Program for Thursday: Senate will consider the conference report on H.R. 3061, Labor/HHS/Education Appropriations Act, with a vote to occur thereon.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, December 20

House Chamber

Program for Thursday: Consideration of Conference report on H.R. 3338, DOD Appropriations (subject to a rule).



Congressional Record

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